

1 Michael P. Kenny, Esq. (admitted *pro hac vice*)  
2 mike.kenny@alston.com  
3 Debra D. Bernstein, Esq. (admitted *pro hac vice*)  
4 debra.bernstein@alston.com  
5 Matthew D. Kent (admitted *pro hac vice*)  
6 matthew.kent@alston.com  
7 **ALSTON & BIRD LLP**  
8 1201 West Peachtree Street  
9 Atlanta, Georgia 30309-3424  
10 Tel: (404) 881-7000  
11 Facsimile: (404) 881-7777

12 James M. Wagstaffe, Esq. (SBN 95535)  
13 wagstaffe@kerrwagstaffe.com  
14 **KERR & WAGSTAFFE LLP**  
15 100 Spear Street, 18th Floor  
16 San Francisco, California 94105-1576  
17 Tel: (415) 371-8500  
18 Facsimile: (415) 371-0500

19 *Attorneys for Plaintiffs Dell Inc. and Dell Products L.P.*

20 [Additional Counsel Listed on Signature Page]

21 **UNITED STATES DISTRICT COURT**  
22 **NORTHERN DISTRICT OF CALIFORNIA**  
23 **SAN FRANCISCO DIVISION**

24 DELL INC. and DELL PRODUCTS L.P.,

25 Plaintiffs,

26 v.

27 HITACHI, LTD., *et al.*,

28 Defendants.

Master File No. 3:07-cv-05944-SC

MDL No. 1917

Individual Case No. 3:13-cv-02171-SC

**[PROPOSED] ORDER REGARDING  
DELL INC. AND DELL PRODUCTS  
L.P.'S ADMINISTRATIVE MOTION  
TO FILE DOCUMENTS UNDER  
SEAL**

1 [PROPOSED] ORDER

2 Upon consideration of the Dell Plaintiffs' Administrative Motion to File Documents Under  
3 Seal ("Administrative Motion"), it is hereby

4 ORDERED that the Administrative Motion is GRANTED; and it is further

5 ORDERED that the Clerk shall file under seal those portions of Dell's Motion to Partially  
6 Exclude Certain Opinions and Testimony of Designated Expert Daniel L. Rubinfeld ("Dell's Rubinfeld  
7 Motion") identified by Dell in connection with its Administrative Motion and the entirety of Exhibits  
8 A, C, and D to the Declaration of Debra D. Bernstein filed in Support of the Rubinfeld Motion.

9

10 Dated: \_\_\_\_\_, 2014

11

12

13 **The Honorable Samuel Conti**  
14 **Northern District of California**

15

16

17

18

19

20

21

22

23

24

25

26

27

28